

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

SUSA SPRING ET AL.

U.S. APPLICATION NO: 10/552,319

35 USC §371 DATE: 10/18/2005

FOR: GENE EXPRESSION ASSOCIATED WITH OSTEOBLAST
DIFFERENTIATION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

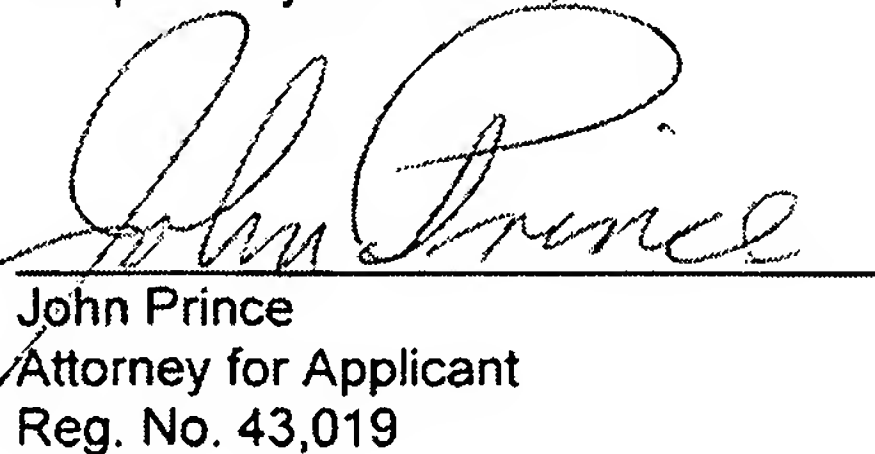
RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement of May 2, 2008, Applicants elect the claims of Group III, claims 7, 9 and 11, drawn to a method of monitoring the treatment of a patient with a condition characterized by abnormal bone tissue formation/abnormal rate of formation of osteoblasts/osteoporosis, comprising (a) administering a pharmaceutical composition to the patient; (b) preparing a gene expression profile from a cell or tissue sample from the patient and/or assaying an activity of a protein encoded by at least one gene or a member of a gene family of Table 1; and (c) comparing the patient expression profile or activity to an expression profile or activity from a MC3T3-E1 or MC3T3-1b cell population or an osteoblastic differentiated MC3T3-E1 or MC3T3-1b cell population. In addition, Applicants further elect from Table 1, page 52 of the PCT specification, under "Transcription Factors", the gene Hey1. . This election is made without traverse.

Applicants reserve the right to prosecute the subject matter of any non-elected claim groups in one or more divisional applications.

An early and favorable action on the merits is respectfully requested. Should the Examiner have any questions, please contact the undersigned attorney.

Respectfully submitted,



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Date:

May 29, 2008